

**AMENDMENT TO THE CHAIRMAN'S MARK
OFFERED BY MR. NUNES**

[Tier Three - Final]

[Amendment #22]

**[Moratorium on earmarks for one year and to reform the
earmark process.]**

The amendment would establish a point of order against legislation containing earmarks considered by the House of Representatives. The point of order would expire at the end of the 1st session of the 111th Congress, or upon adoption of H. Res. 276 a binding House rule that contains the following provisions: A petition for an earmark request must be filed with the Clerk of the House of Representatives no later than five legislative days before consideration of a bill that contains the earmark request; earmark requests must contain the name of the sponsor, a description of the request and its purpose, a certification that the sponsor has no financial interest in the request, and the petition must be posted online within two days in a searchable database; no member is allowed more than two earmarks per bill or ten earmarks per year; Members of the committee of jurisdiction are allowed no more than double the funding for ear-

marks, limited tax benefits, and limited tariff benefits than nonmembers of the committee of jurisdiction; defines a “Presidential Earmark” as any provision or report language to maintain or increase the funding for any budgeted program, project, or activity specifically authorized by law and included in the most recent budget submission of the President; an exception to the earmark rules for projects of national security which are certified by both the Speaker and the Minority Leader; a violation of the House Code of Official Conduct if a Member of Congress fails to comply with the earmark rules.

Amend the Chairman’s Mark:

At the end of title IV, add the following section:

1 **SEC. 409. MORATORIUM ON CONSIDERATION OF EAR-**
2 **MARKS UNTIL A REFORM SYSTEM IS ADOPT-**
3 **ED.**

4 In the House, for the remainder of the first session
5 of the 111th Congress, it shall not be in order to consider
6 a bill, joint resolution, or conference report containing a
7 congressional earmark, limited tax benefit, or limited tariff benefit (as such terms are used in clause 9 of rule XXI
8 of the Rules of the House of Representatives), until H.
9 Res. 276, to provide earmark reform in the House of Rep-
10

1 representatives, has been adopted by the House of Represent-
2 atives.

